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SUBJECT: MESHRANO JIRGA "DRAFT RESOLUTION" ON RECONCILIATION

SUMMARY

11. (SBU) Meetings with a member of the Meshrano Jirga (Upper House of Parliament) and a senior Parliamentary staffer provided some clarity on the intent of the reconciliation resolution passed on May 8. According to these contacts, the intent of the resolution passed by the Meshrano Jirga was to support discussions between the Government of Afghanistan (GoA) and insurgents who are Afghan nationals, in order to encourage reconciliation and national unity. The resolution (informal translation at para 12) calls on Coalition forces to cease operations against insurgents as long as Coalition forces are not under attack. Our contacts explained this is meant to ensure that Coalition forces would not target insurgents who are faithfully participating in the reconciliation process. The resolution also states that, once Afghan security forces are capable of defending Afghanistan, a schedule for drawing down foreign troops should be established. End Summary.

Background

12. (SBU) According to Senator Abdul Khaliq Husaini, the Second Secretary of the Meshrano Jirga (Upper House), the issue of reconciliation has been the subject of much discussion over the past five months. As a result, the National Reconciliation Commission was established, comprised of representatives of other Meshrano Jirga commissions. A core group of 40-50 senators expressed strong support for the concept of opening the door for discussions (leading to reconciliation) with any Afghan insurgent. During deliberations on the floor of the Meshrano Jirga, the resolution received unanimous support - 72 of 72 senators in attendance voted in favor. (Note: Although press reports have referred to the "Reconciliation Bill", the language that was voted on

is translated as "the draft". We have not received confirmation that the text is, in fact, a draft bill, and accordingly, use the term "resolution." End Note.)

Key Points of the Resolution

13. (SBU) Afghan vs. Other Insurgents: The resolution distinguishes between Afghan and non-Afghan insurgents. According to Mr. Mulki Khan Shinwari, Director of the International Relations Department of the Meshrano Jirga (the office responsible for liaison with the international community), this distinction was fundamental to many senators' support. The resolution states that Afghan insurgents oppose (the current) government, while Pakistan Taliban and the al-Qaeda network are enemies of "the Afghan nation." According to the resolution, the GoA should find ways to negotiate with Afghan insurgents towards the end of reconciliation, peace, and support for the current government. The government should not attempt to negotiate with Pakistan Taliban and al-Qaeda.

14. (SBU) Activity of Coalition Forces: The resolution stipulates "military operations of the coalition and Afghan forces should be stopped as long as they are not attacked." Both Senator Husaini and Mr. Shinwari clarified the intent of this language - that after an Afghan insurgent has entered into negotiations or reconciliation with the GoA, and if that insurgent is not actively attacking the Coalition, he should not be targeted by Coalition or Afghan forces. This language

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refers to specific operations not the general operations/presence of Coalition forces in Afghanistan. They also pointed out that the resolution acknowledges (implicitly) that Coalition and Afghan forces should defend themselves if attacked.

15. (SBU) Withdrawal of Coalition Forces: The resolution calls for the strengthening of the ANA and ANP and states that once Afghanistan has security forces sufficient to operate independently against the threats the nation faces, a gradual plan for withdrawal of Coalition forces should be established. Senator Husaini emphasized that this is not expected to occur over the near-term.

16. (SBU) Clauses Not Covered by the Media: The resolution mentions other steps that that would contribute to peace in Afghanistan including the repatriation of refugees, showing more Islamic TV programs, building more Afghan schools and Madrassas (Note: Madrassa is the term used for all religious schools/seminaries as opposed to secular schools. End note.), and negotiating with regional neighbors.

Relationship to the Amnesty Bill

17. (SBU) Senator Husaini stated that there was overwhelming support for this reconciliation concept because it attempts to end internal war and bloodshed. As such, this reconciliation resolution is meant to benefit all Afghans. He contrasted this to the Amnesty Law (reftel Kabul 834 and 1246), which he said benefited only a handful of people. For this reason, a number of senators who voted against the Amnesty Law, including the Senator Husaini, voted in favor of this language.

Mechanics and Way Ahead

¶18. (SBU) According to Mr. Shinwari, the draft that was passed yesterday is not the final version that will be sent to the Wolesi Jirga. Other commissions will have the opportunity to add language to this resolution, via weekly meetings of Meshrano Jirga Commissions' Chairmen. If any additions are proposed, the entire Meshrano Jirga would have to vote on the new language. But, none of the language that was approved yesterday can be removed. Once the resolution is finalized, it will be forwarded to the Wolesi Jirga and, if it is approved in the lower house, to the President. (Note: Articles 95 and 97 of the Constitution stipulate that legislation can be originated in either house. End note.)

Comment:

¶19. (SBU) A number of press reports characterize this resolution as more extreme than explanations offered by our contacts at the Meshrano Jirga. While the logic and language of the text is far from clear, the resolution, as explained to us, is not inconsistent with public statements made by President Karzai and other GoA officials, calling for outreach to encourage reconciliation, including through the PTS program. According to Senator Husaini and Mr. Shinwari, the language calling for a cessation of attacks on insurgents not attacking the coalition should be read in the context of the attempt to facilitate reconciliation. There are undoubtedly as many agendas behind this resolution/bill as there are (and will be) interpretations of it. Whether it will actually

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encourage an increase in the number of Afghan insurgents willing to approach the government and turn away from violence remains to be seen.

10 (SBU) Post will continue to engage Afghan leadership to reiterate the importance of distinguishing clearly between "negotiations" and "discussions leading to reconciliation." We will also emphasize the imperative of avoiding restrictions on Coalition activities against insurgents. End Comment.

Unofficial Translation of the Resolution

¶11. (U) Below is a preliminary draft translation of the preface and resolution. A more precise translation will be forwarded separately.

¶12. (U) Islamic Republic of Afghanistan, National Assembly, Upper House, National Reconciliation Commission, 1386 (2007)

The question may rise, why the National Reconciliation Commission was formed in the framework of other commissions of Meshrano Jirga?

The main cause for formation of such a commission is to analyze and study the incidents, events and happenings of the last few decades, specially the unrest of approximately five past years in the south, southwest and east of the country. Now it is about to spread all over the country and this is to seek logical solutions to resolve these challenges.

The commission prioritized those issues which ensure national interest, Afghan values, Afghan history and National sovereignty. We will try to consider internal and external dimension of war in a country with a logical balance, considering the current situation and various complications. Also we want to carry out

our responsibility before the existing and future generation of this country. This is a heavy burden which has been laid on our shoulders; none of the members of the National Assembly of Afghanistan should ignore this responsibility. We all are responsible and accountable before our people.

Unfortunately, it has been common that Groups and Political Regimes have called themselves and / or their favorite party and government the saving angels for the people of Afghanistan and have addressed their opposition parties with such words and impolite ways that in courtesy is even not writable. War is not the means to a solution. War never has an ultimate winner; in war both parties are losers. The most important means to stop war and fratricide, in which the undefended Afghan nation is the victim, is discussion and mutual understanding between rival and engaged forces in the war. Peaceful solutions for the cause of the disagreement can save our society from long lasting disasters that resulted to human loss, and loss to the economy, social and culture life.

The main cause of war in Afghanistan

We have not been able to understand each other yet. We are just examining the culture of tolerance and sacrifice, but we have not succeeded. The general backwardness of our society, low level of political maturity, and an inappropriate understanding of society are the reasons that caused the current abnormal situation and continuation of war and violence in the country. A wound can not be cured by stirring salt into it.

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The following issues have also caused tension and instability in Afghanistan:

- a. Lack of complete implementation of a balanced internal policy;
- b. Lack of correct and reasonable realization of people's active participation in the government and its relations with the desires of society;
- c. Conducting a series of reforms in hurry, false movements and promises;
- d. Inadequate implementation of social, economical and cultural developments in accordance with the expectation and needs of people and in a timely manner;
- e. Inadequate usage of resources and paved conditions of international community for thereconstruction of country; and
- f. Lack of creating job opportunities and employment for the people.

Therefore, the commission of National Reconciliation, considering the above mentioned points, has prepared a comprehensive and acceptable draft for all involved Afghan sides in consideration with social sensitivities which, God willing, will be enforced after approval of the general session of the Meshrano Jirga. We emphasize that the most important need of the Afghan people in the current situation is ensuring peace and national unity and understanding. And ultimately if any one is asked, whether he/she prefers war or peace, everyone will say with one voice: peace

The Draft

First, members of the National Reconciliation Commission intend in consultation with the Upper, Lower House and the Government of Islamic Republic of Afghanistan, to work towards peace, security and reconciliation directly with all involved Afghan

sides, and open the doors for negotiation and talks inside the country.

An accurate and logical distinction should be made between Afghan Taliban, Pakistani Taliban and the terrorist Al-Qaida.

Peace negotiation should only be held with Taliban and opponents who are Afghan nationals.

Taliban and opponents should be convinced to obey and accept the constitution and other laws of Afghanistan and announce their support for the current government.

We should listen to all reasonable and logical recommendations, ideas and drafts from all sides and should utilize them for ensuring peace and security in the country.

Afghan Taliban are those individuals who are only fighting against the government, while the so called Pakistani Taliban and Al-Qaida network are those who in addition to fighting against our government, are also the enemy of our nation, people and our soil.

Efforts should be made to give the Taliban and opponents a chance to initially express their demands and drafts during the negotiation.

Preparing an organized program and negotiation with the international community and host countries for honorable repatriation of refugees and their placement in their original areas and creating proper job opportunities in accordance with their status in the country.

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Censoring and preventing broadcast of commonplace (Muhtazal) films and TV programs that are aimed against the ideology, customs and Afghan culture, and which cause damage to the feelings of our people. There should be more Islamic religious programs on TV, which will be effective in bringing the people and government close to each other. The cooperation of the Ministry of Information and Culture is needed in this regard.

After approval, confirmation and announcement of a National Reconciliation Draft, the military operations of the coalition and Afghan forces should be stopped as long as they are not attacked.

The Afghan National Army (ANA) and Afghan National Police (ANP) should be nationally strengthened, recruited and supplied.

Upon the strengthening of the ANA and ANP, and gaining the ability to conduct operations independently against the threats of war, tension and terrorism, we will then be able to present a logical and timely schedule for NATO and Coalition Forces soldiers' exit and return to their countries.

The government should take similar and balanced steps to build schools and Madrassas in all the regions of the country. The Afghan government should enroll those Afghan Taliban who are studying religious subjects in Pakistanis Madrassas inside of Afghan Madrassas.

Negotiations should be held with neighboring countries, especially with Pakistan, to ensure security and stability in Afghanistan, and efforts made to convince them that they can also benefit from peace in Afghanistan. In order to ensure peace, all

Afghan nationals living in or outside the country, and also neighboring countries and the international community are requested to cooperate and assist us in this regard.

Finally, we Afghans deserve to live in peace and security and to have prosperous lives. It is worth mentioning that the descendants of our martyrs and disabled heroes, who fought in the holy fronts of Jihad, freedom and independence of our country, have announced their support for this draft.

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